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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,923	03/27/2001	Mark S. Hoffman	9547	4274

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EXAMINER

VU, KIEU D

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 05/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

3

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**Office Action Summary**

Application No.

09/818,923

Applicant(s)

HOFFMAN, MARK S.

Examiner

Kieu D Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8-14 and 16-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-14, and 16-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 8-14, and 16-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deutsch et al ("Deutsch", USP 6615194) and Blumstein et al ("Blumstein", USP 5589855)

Regarding claims 1, 10, and 16, Deutsch teaches a signature capture terminal 205 comprising a signature capture area operative to graphically receive a signature of a user (col 3, lines 12-16). Deutsch does not teach the producing audio feedback in response to receipt of user input. However, such feature is known in the art as taught by Blumstein. Blumstein teaches the providing a terminal for visually impaired individuals which comprises the audio feedback which is correlated to the received input (col 2, lines 22-28). It would have been obvious to one of ordinary skill in the art, having the teaching of Deutsch and Blumstein before him at the time the invention was made, to modify the terminal taught by Deutsch to include audio feedback taught by Blumstein with the motivation being to enable the terminal to inform the user whether he or she is successful in entering input.

Regarding claims 2 and 11, Blumstein teaches that the audio signal varies in correlation to the input from users (line 64 of col 3 to line 2 of col 4).

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Regarding claims 3, 12, and 18, Blumstein teaches that a characteristic of audio signal is pitch (col 5, lines 14-18)

Regarding claim 4, Blumstein teaches the audio signal has second characteristic (line 64 of col 3 to line 2 of col 4).

Regarding claims 5, 13, and 17, Blumstein teaches that the audio feedback is provided as secure audio (col 2, lines 21-23)

Regarding claims 6 and 14, Blumstein teaches a device operative to receive a PIN (col 5, lines 19-21) and audio feedback corresponding to input of the PIN (line 66 of col 5 to line 2 of col 6).

Regarding claim 8, Blumstein teaches a touch screen display screen for PIN entry (Fig. 7).

Regarding claim 9, Blumstein teaches audio feedback upon receiving PIN entry (line 66 of col 5 to line 2 of col 6).

Regarding claim 19, Deutsch teaches a method of operating a signature capture terminal having an input device (terminal 205 in Fig. 1), comprising the steps of entering a written signature with a stylus (stylus pen attached to terminal 205 in Fig. 1) into said input device of said signature capture terminal (col 3, lines 12-16), and generating signature data in response thereto (inherent); storing said signature data in a memory of said signature capture terminal (inherent for further verification). Deutsch does not teach the producing audio feedback in response to said entering step. However, such feature is known in the art as taught by Blumstein. Blumstein teaches the providing a terminal for visually impaired individuals which comprises the audio feedback which is correlated to

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the received input (col 2, lines 22-28). It would have been obvious to one of ordinary skill in the art, having the teaching of Deutsch and Blumstein before him at the time the invention was made, to modify the terminal taught by Deutsch to include audio feedback taught by Blumstein with the motivation being to enable the terminal to inform the user whether he or she is successful in entering input.

Regarding claims 20-21 and 27-28, it is inherent that the signature capture area of Deutsch captures the horizontal and vertical position of said written signature

Regarding claims 22 and 29, Blumstein teaches audio feedback includes frequency of said audio signal (line 63 of col 3 to line 2 of col 4).

Regarding claims 23 and 30, Blumstein teaches audio feedback includes amplitude of said audio signal (line 63 of col 3 to line 2 of col 4).

Regarding claim 24, Deutsch teaches displaying a visual image of said written signature with a display device in response to said entering step (signature is displayed on the display of terminal 205 in Fig. 1).

Regarding claims 25 and 31, Deutsch teaches said input device is a pressure sensitive transducer input device (to receive pressure of the stylus pen in terminal 205 in Fig. 1).

Regarding claim 26, Deutsch teaches a method of operating a signature capture terminal having an input device (terminal 205 in Fig. 1), comprising the steps of entering a written signature with a stylus (stylus pen attached to terminal 205 in Fig. 1) into said input device of said signature capture terminal (col 3, lines 12-16), displaying a visual image of said written signature on a display device of

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said signature capture terminal (signature is displayed on the display of terminal 205 in Fig. 1); and generating signature data in response thereto (inherent); storing said signature data in a memory of said signature capture terminal (inherent for further verification). Deutsch does not teach the producing audio feedback in response to said entering step. However, such feature is known in the art as taught by Blumstein. Blumstein teaches the providing a terminal for visually impaired individuals which comprises the audio feedback which is correlated to the received input (col 2, lines 22-28). It would have been obvious to one of ordinary skill in the art, having the teaching of Deutsch and Blumstein before him at the time the invention was made, to modify the terminal taught by Deutsch to include audio feedback taught by Blumstein with the motivation being to enable the terminal to inform the user whether he or she is successful in entering input.

3. Response to Applicant's argument:

In response to Applicant's argument that "proposed combination Deutsch and Blumstein does not arrive at the invention of claim 10", it is noted that such is not quite the case since Deutsch is cited for teaching a signature capture area operative to graphically to receive a graphic signature of a user. Blumstein is cited for producing audio feedback which is correlated to the received input. The audio feedback is correlated to the input in a way that if the input is received, the audio feedback is provided. Applicant argues the "correlation is described in detail in Applicant's specification....", those limitations in the specification are not presented in claim 10. Since both teaching are in the same field of user

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interaction in activating terminals in business transaction, it would have been obvious to one of ordinary skill in the art, having the teaching of Deutsch and Blumstein before him at the time the invention was made, to modify the terminal taught by Deutsch to include audio feedback taught by Blumstein with the motivation being to enable the terminal to inform the user whether he or she is successful in entering input.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7238 (After Final Communication)

or

(703)-746-7239 (Official Communications)

(703)-746-7240 (For Status Inquiries, draft communication)

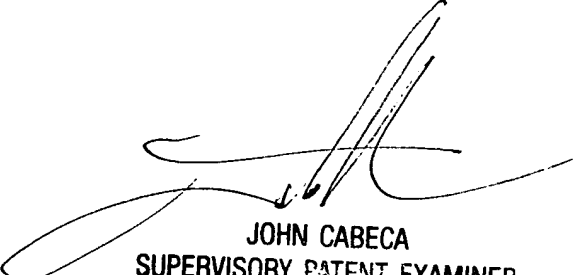
and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

04/30/04



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100